



DEPARTMENT OF CONSERVATION

OFFICE OF MINE RECLAMATION

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CALIFORNIA ABANDONED MINE LANDS (AML) FORUM

Wednesday, November 18, 2009

10:00 a.m. to 12:30 p.m.

MEETING SUMMARY

ATTENDING
1. Charles Alpers, U.S. Geological Survey
2. Maggie Baker, U.S. Forest Service (<i>via telecon</i>)
3. Dave Bieber, Geocon
4. West Bourgault, Placer County Environmental Health
5. Syd Brown, State Parks (<i>via telecon</i>)
6. Bob Bryson, National Park Service
7. Paul Damian, SCS Engineers
8. Liz Dodge, CH2M Hill
9. Tracy Gidel, public member (<i>via telecon</i>)
10. Peter Graves, U.S. Bureau of Land Management
11. Brad Hall, Engineering/Remediation Resources Group
12. J.C. Isham, Shaw Group, Inc.
13. Dave Lawler, U.S. Bureau of Land Management
14. Kyle Leach, Friends of Deer Creek
15. Greg Marquis, Department of Conservation, Abandoned Mine Lands Unit (AMLU)
16. Greg McIver, The Source Group
17. Dan Millsap, Department of Parks and Recreation (<i>via telecon</i>)
18. Perry Myers, Department of Toxic Substances Control
19. Cy Oggins, Department of Conservation, AMLU
20. Lynn Oliver, U.S. Forest Service (<i>via telecon</i>)
21. Kent Parrish, URS Corporation
22. Greg Pelka, State Lands Commission
23. Patrick Plumb, Cascade Earth Sciences
24. Greg Reller, Burlison Consulting
25. Dave Sederquist, Youngdahl Consulting Group
26. Crystal Spurr, State Lands Commission
27. Dean Wright, Department of Toxic Substances Control
28. Tim Vendlinski, Sustainable Conservation
29. Craig Ziegler, Dolver Co., Inc.

1. Welcome, Introductions, & Announcements (*Cy Oggins, AMLU/All; start: 10:00*)

Cy opened the meeting and welcomed Forum attendees. Cy noted that due to Governor's Executive Order S-09-09 (June 2009), the DOC had to disencumber its contract with Tracy Gidel as Forum facilitator. Cy thanked Tracy for his work over the past year. Those present then introduced themselves (name & agency/organization).

2. Review Previous AML Forum Meeting Minutes/Today's Agenda (All)

Cy asked if there were any proposed changes to the agenda or the last meeting's summary (both emailed prior to the meeting). No changes were noted. Anyone who wishes to suggest corrections to meeting minutes can do so by email to Sarah Reeves of the AMLU at: Sarah.Reeves@conservation.ca.gov.

3. Legislation/Stimulus Project Update (Cy Oggins, AMLU)

Cy provided a handout and an update on the status of federal bills/laws related to abandoned mines along with an update to potential stimulus funding for abandoned mine projects in California. The handout is posted on the Forum website. Copies of federal bills can be obtained by going to <http://thomas.loc.gov> and typing in the bill number (they are not attached due to their length). Mining/AML-related bills include:

House Bills

- H.R. 699 (Hardrock Mining and Reclamation Act of 2009)
- H.R. 3201 (Locatable Mineral Royalty and Reclamation Act of 2009)
- H.R. 3203 (Cleanup of Inactive and Abandoned Mines Act)

Senate Bills

- S.140 (Abandoned Mine Reclamation Act of 2009)
- S. 796 (Hardrock Mining and Reclamation Act of 2009)
- S.1570 (Elimination of Double Subsidies for the Hardrock Mining Industry Act of 2009)
- S.1777 (Good Samaritan Cleanup of Abandoned Hardrock Mines Act of 2009)

Bills Signed by President

- Public Law 111-5: American Recovery and Reinvestment Act of 2009 (H.R.1 / S.336).
Signed 2/17/09
- Public Law No: 111-8: Omnibus Appropriations Act, 2009 (H.R.1105). Signed 3/11/09
- Public Law 111-11: Omnibus Public Land Management Act of 2009 (H.R.146.ENR/S.22). Signed 3/30/09.

Also provided was notice that public comments were being sought on the Suction Dredge Permit SEIR.

Additional information was provided on the pending (November 23) Congressional Oversight Field Hearing on "Abandoned Mines and Mercury in California" at which several Forum member organizations were providing testimony. Forum members proposed several "Talking Points" that they would like Congress to hear on this issue:

- Funding (requests for funding)
 - Federal funding to state agencies (coal state model)

- Remediations
- Additional assessments to prioritize the remaining sites
- Funding for potentially responsible parties (PRP) searches
- Mining royalties
- Need for Health Risk/Human Exposure assessments
- Good Samaritan legislation (e.g., Bill H.R. 3203)
- Mercury remediations that have been completed (“success stories”)
 - Boston Mine (Nevada County)
 - Sailor Flat (east) (Nevada County)
 - Abbott and Turkey Run mine (Lake County)
 - New Almaden (Santa Clara)
 - Rinconada (San Luis Obispo County)
 - Gambonini (Marin County)
 - Sulphur Bank (Lake County)
 - Gibraltar Mine (Santa Barbara County)
 - Deer Trail (San Luis Obispo County)
 - Altoona (Trinity County)
 - Bodie State Historic Park (Mono County)

4. Cleaning Up Abandoned Mines in California -- Good Samaritan (*Tim Vendlinski, Sustainable Conservation*)

Tim provided some detailed observations on the issue of cleaning-up abandoned and orphaned mines in California. Topics covered included clean-up activities at Marsh Creek and the adjacent mercury mine on Mt. Diablo (a topic presented in more detail at the June 2009 Forum meeting by Laura Whitney-Tedrick, U.S. Army Corps of Engineers Project Manager), the American Fork Mining District in Utah, CERCLA (Superfund) liability, the Clean Water Act, Regulatory Flexibility under Existing Law, Mining Laws and the Trouble with Acid Mine Drainage (AMD), and Good Samaritan Guidance and Model Agreement. Tim’s “talking points” are posted on the Forum website; Tim’s “Good Samaritan Initiative” Flowchart is worth viewing (see last page of his talking points).

5-7. Brownfields Grant Activities in California

The next three meeting topics had a common theme—a discussion of three U.S. Environmental Protection Agency (USEPA) Brownfields Program-related projects. Available presentations are posted on the Forum website. An Update on the Brownfields Program & Related Grant Opportunities for California was presented at the June 2009 Forum meeting and is also available on the Forum website.

- **Department of Toxic Substances Control (DTSC) Brownfields Training, Research, and Technical Assistance Grant: Arsenic Relative Bioavailability Study** (Perry Myers, DTSC). *The goal of the Study is to determine the range of arsenic bioavailability that may exist in contaminated soil at former AML sites and develop better methods to determine the human health effects caused by exposure to arsenic. The Study is also intended to develop an assessment tool that would allow risk assessors to reliably predict the in-vivo relative risk based*

bioavailability of arsenic in soil in a scientifically sound, defensible and cost effective manner. (Source:

www.dtsc.ca.gov/InformationResources/Arsenic_Relative_Study.cfm.)

- **Brownfields Cleanup Grant Applications for Plumas-Eureka State Park** (Greg Marquis, AMLU). *On October 16, 2009, the AMLU, State Parks, and DTSC submitted joint applications for Brownfields Cleanup grants to the USEPA to remediate three sites within the Jamison Creek Day Use Area in Plumas-Eureka State Park. The sites are where a mill was built in the 1870s to process sulphuret ore (ore bound with gold to sulfide minerals).*
- **City of Nevada City Brownfields Assessment Results** (Kyle Leach, Friends of Deer Creek). *Nevada City, in partnership with The Friends of Deer Creek and other partners, used Brownfields assessment funds to evaluate whether abandoned mine sites in the city are safe as future recreation areas. Grant funds were utilized to assess properties, prioritize sites for cleanup, and analyze cleanup options for mine-scarred lands. The project also strengthened local partnerships through community outreach activities.* (Source: www.epa.gov/region09/waste/features/nevada-city/index.html.)

8. Other Items / New Business

No announcements or new business

9. Summary of Action Items from Meeting

No action items were identified.

10. Future Meeting and Agenda Ideas

The next meeting is scheduled for February 2010. One proposed agenda item was a discussion of remediation activities at the Iron Mountain Mine. If you have agenda items to propose or suggestions for a new meeting place, please send them to Cy (key elements include plenty of room, no cost, free parking, etc).

ADJOURN: 12:30 p.m.